

**FIFTY-EIGHTH LEGISLATIVE DAY
TUESDAY, MARCH 8, 2005**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members members present.

Prayer was offered by Representative Saylor.

The Pledge of Allegiance was led by Kristen Richter, Page.

Approval of Journal

March 8, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-seventh Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

OFFICE OF THE GOVERNOR
Boise

March 7, 2005

The Honorable Bruce Newcomb
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 59 and H 91

/s/ Very truly yours,
DIRK A. KEMPTHORNE
Governor

March 7, 2005

Mr. Speaker:

I return herewith enrolled **HJM 3** which has been signed by the President.

WOOD, Secretary

Enrolled **HJM 3** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 7, 2005

Mr. Speaker:

I transmit herewith **S 1129** and **S 1131** which have passed the

Senate.

WOOD, Secretary

S 1129 and **S 1131** were filed for first reading.

March 7, 2005

Mr. Speaker:

I return herewith **HCR 11, H 262, H 45, H 41, H 121, H 62, H 34, H 170, H 78, H 79, H 80, H 81, H 82, H 131, and H 176** which have passed the Senate.

WOOD, Secretary

HCR 11, H 262, H 45, H 41, H 121, H 62, H 34, H 170, H 78, H 79, H 80, H 81, H 82, H 131, and H 176 were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

March 8, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HJM 5, HJM 6, HCR 19, H 296, H 297, H 298, H 299, H 300, and H 301**.

FIELD(18), Chairman

HJM 5 was referred to the Resources and Conservation Committee.

HCR 19 was referred to the Education Committee.

H 298 and **H 299** were referred to the Revenue and Taxation Committee.

H 300 was referred to the State Affairs Committee.

H 301 was referred to the Judiciary, Rules, and Administration Committee.

HJM 6, H 296, and H 297 were filed for second reading.

March 8, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 11**, as amended in the Senate.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 11**, as amended in the Senate, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

March 8, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 46, H 47, and H 103** to the Governor at 11:07 a.m., as of this date, March 7, 2005.

FIELD(18), Chairman

March 7, 2005

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **S 1008**, **S 1009**, and **S 1010** and recommend that they do pass.

BLACK, Chairman

S 1008, **S 1009**, and **S 1010** were filed for second reading.

March 7, 2005

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration **H 160** and report it back with amendments attached to be placed on General Orders for consideration.

BLACK, Chairman

H 160 was placed on General Orders for consideration.

March 7, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **HCR 18**, **S 1038**, **S 1055**, and **S 1100** and recommend that they do pass.

FIELD(18), Chairman

HCR 18, **S 1038**, **S 1055**, and **S 1100** were filed for second reading.

March 7, 2005

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **H 60** and recommend that it do pass.

STEVENSON, Chairman

H 60 was filed for second reading.

March 8, 2005

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 283**, **S 1114**, and **S 1125** and recommend that they do pass.

DEAL, Chairman

H 283, **S 1114**, and **S 1125** were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 302
BY APPROPRIATIONS COMMITTEE
AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE CATASTROPHIC HEALTH CARE COST FUND FOR FISCAL YEAR 2005; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 303
BY APPROPRIATIONS COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE; AMENDING SECTION 1, CHAPTER 368, LAWS OF 2004, TO REVISE THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF FAMILY AND COMMUNITY SERVICES; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 304
BY APPROPRIATIONS COMMITTEE
AN ACT**

APPROPRIATING MONEYS FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2006; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING LEGISLATIVE INTENT REGARDING MONEYS APPROPRIATED FOR CATEGORY B OF THE IDAHO ROBERT R. LEE PROMISE SCHOLARSHIP PROGRAM.

**HOUSE BILL NO. 305
BY APPROPRIATIONS COMMITTEE
AN ACT**

APPROPRIATING MONEYS FOR THE IDAHO WOMEN'S COMMISSION FOR FISCAL YEAR 2006; AND LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS.

**HOUSE BILL NO. 306
BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO TAXATION AND TO THE ENACTMENT OF THE IDAHO CORPORATE HEADQUARTERS INCENTIVE ACT OF 2005; AMENDING TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 29, TITLE 63, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE AN ADDITIONAL INCOME TAX INVESTMENT CREDIT FOR CERTAIN QUALIFIED INVESTMENTS AND LIMITATIONS THEREON, TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN REAL PROPERTY IMPROVEMENTS AND LIMITATIONS THEREON, TO PROVIDE AN ADDITIONAL NEW JOBS CREDIT FOR CERTAIN EMPLOYMENT AND LIMITATIONS THEREON, TO AUTHORIZE THE STATE TAX COMMISSION TO ADOPT ADMINISTRATIVE RULES RELATING TO S CORPORATIONS, PARTNERSHIPS, ESTATES AND TRUSTS, AND RELATING TO REORGANIZATIONS, MERGERS AND LIQUIDATIONS, TO ESTABLISH LIMITATIONS, TO PERMIT SHARING OF CREDITS AMONG TAXPAYERS INCLUDED IN A COMBINED REPORT OF INCOME, TO PERMIT CARRYOVERS OF UNUSED CREDITS, TO PROVIDE FOR RECAPTURE OF INCOME TAX CREDITS IN CASE OF FAILURE TO MEET TAX INCENTIVE CRITERIA, TO

PROVIDE FOR A REBATE OF SALES AND USE TAXES PAID ON QUALIFIED PROJECTS AND TO PROVIDE FOR RECAPTURE OF THE REBATE IN CASE OF FAILURE TO MEET TAX INCENTIVE CRITERIA, TO PROVIDE FOR A REBATE OF CERTAIN PROPERTY TAXES PAID ON QUALIFIED PROJECTS AND TO PROVIDE LIMITATIONS THEREON, TO PROVIDE FOR RECAPTURE OF THE REBATE IN CASE OF FAILURE TO MEET TAX INCENTIVE CRITERIA AND TO PROVIDE FOR ADMINISTRATION BY THE STATE TAX COMMISSION; AMENDING SECTION 63-3067, IDAHO CODE, TO PROVIDE A CONTINUOUS APPROPRIATION OF INCOME TAX RECEIPTS TO FUND CERTAIN PROPERTY TAX REBATES; PROVIDING SEVERABILITY; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

HOUSE BILL NO. 307
BY REVENUE AND TAXATION COMMITTEE
 AN ACT

RELATING TO SALE OF PROPERTY ACQUIRED BY TAX DEED; AMENDING SECTION 31-808, IDAHO CODE, TO PROVIDE FOR APPORTIONMENT OF PROCEEDS FROM THE SALE OF PROPERTY ACQUIRED BY TAX DEED TO INCLUDE A REMITTANCE TO THE RECORD OWNER OR OWNERS OR ANY PARTY IN INTEREST UPON WHOM A NOTICE OF A SALE WAS SERVED IN COMPLIANCE WITH LAW OF ANY AMOUNTS REMAINING AFTER DEDUCTION OF THE DELINQUENCY, LATE CHARGES, ACCRUED INTEREST, COSTS, FEES AND THE COSTS OF TRANSACTING THE SALE, TO PROVIDE A FEE TO THE COUNTY IF THE RECORD OWNER OR OWNERS HAD MADE NO REASONABLE ATTEMPT TO SATISFY THE DELINQUENCY, AND TO PROVIDE FOR DISTRIBUTION OF FUNDS IF NO CLAIM IS RECEIVED WITHIN THREE YEARS AFTER THE DATE OF SALE OF THE PROPERTY.

HOUSE BILL NO. 308
BY REVENUE AND TAXATION COMMITTEE
 AN ACT

RELATING TO TAXATION; AMENDING CHAPTER 26, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-2606, IDAHO CODE, TO CLARIFY WHEN A COUNTY TAX IS IMPOSED; AMENDING CHAPTER 26, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-2607, IDAHO CODE, TO CLARIFY THE IMPOSITION OF COUNTY TAXES FOR SALES AND LEASES OF MOTOR VEHICLES, VESSELS, ALL-TERRAIN VEHICLES, TRAILERS, OFF-ROAD MOTORCYCLES AND SNOWMOBILES; AND AMENDING CHAPTER 26, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-2608, IDAHO CODE, TO CLARIFY THE IMPOSITION OF COUNTY TAXES FOR LEASES AND RENTALS OF TANGIBLE PERSONAL PROPERTY.

H 302, H 303, H 304, H 305, H 306, H 307, and H 308 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1129 and S 1131, by Transportation Committee, were introduced, read the first time by title, and referred to the Transportation and Defense Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HP 2, by State Affairs Committee, was read the second time by title and filed for third reading.

H 294, by Appropriations Committee, was read the second time by title and filed for third reading.

HCR 17, by Education Committee, was read the second time by title and filed for third reading.

S 1149, by Education Committee, was read the second time by title and filed for third reading.

H 99, H 252, and H 264, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Deal asked unanimous consent that **H 239** be returned to the State Affairs Committee. There being no objection, it was so ordered.

Mr. Roberts asked unanimous consent that Rule 70, with the exception of smoking, be suspended for the balance of the Legislative Session. There being no objection, it was so ordered.

H 162 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall **H 162** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Bradford, Field(18), Sali. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 162** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 94, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ellsworth to open debate.

The question being, "Shall **H 94**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Bradford, Field(18), Sali. Total -- 3.
Total -- 70.

Whereupon the Speaker declared **H 94**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that **H 97**, as amended, and **H 127**, as amended, be placed immediately following **H 238** on the Third Reading Calendar. There being no objection, it was so ordered.

H 130, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **H 130**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Bradford, Field(18), Sali. Total -- 3.
Total -- 70.

Whereupon the Speaker declared **H 130**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 139, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Deal to open debate.

The question being, "Shall **H 139**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Sayler. Total -- 1.

Absent and excused -- Bradford, Field(18), Sali, Smylie. Total -- 4.
Total -- 70.

Whereupon the Speaker declared **H 139**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 214, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Edmunson to open debate.

The question being, "Shall **H 214**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Bradford, Field(18), Sali. Total -- 3.
Total -- 70.

Whereupon the Speaker declared **H 214**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 68, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 68**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Bradford, Sali. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 68**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 185, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Nonini to open debate.

Mr. Nonini asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 185**, as amended. There being no objection, it was so ordered.

The question being, "Shall **H 185**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- Smith(24). Total -- 1.

Absent and excused -- Bradford, Sali. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 185**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 195, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall **H 195**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Barrett, Deal, Jones. Total -- 3.

Absent and excused -- Bradford, Sali. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 195**, as amended, passed the House. Title was approved as corrected and the bill was ordered transmitted to the Senate.

H 271 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 271** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 65.

NAYS -- Crow, McKague, Moyle. Total -- 3.

Absent and excused -- Bradford, Smith(24). Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 271** passed the House.

Title was approved and the bill was ordered transmitted to the Senate.

H 178 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **H 178** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Bastian, Bell, Bilbao, Black, Block, Boe, Bolz, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Martinez, Mathews, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Rydalch, Saylor, Shepherd(2), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Mr. Speaker. Total -- 51.

NAYS -- Andrus, Barrett, Bayer, Bedke, Denney, Hart, Harwood, Loertscher, McGeachin, McKague, Moyle, Raybould, Roberts, Sali, Shepherd(8), Stevenson, Wood. Total -- 17.

Absent and excused -- Bradford, Schaefer. Total -- 2.
Total -- 70.

Whereupon the Speaker declared **H 178** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 240 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Deal to open debate.

The question being, "Shall **H 240** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Bradford. Total -- 1.
Total -- 70.

Whereupon the Speaker declared **H 240** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 261 was read the third time at length, section by section,

and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **H 261** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- LeFavour, Mitchell, Ringo. Total -- 3.

Absent and excused -- Bradford. Total -- 1.
Total -- 70.

Whereupon the Speaker declared **H 261** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 135 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Miller to open debate.

The question being, "Shall **H 135** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- McKague. Total -- 1.

Absent and excused -- Bradford. Total -- 1.
Total -- 70.

Whereupon the Speaker declared **H 135** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 234 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bilbao to open

debate.

The question being, "Shall **H 234** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydallch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Nielsen, Wills. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 234** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 238 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Shirley to open debate.

The question being, "Shall **H 238** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydallch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 68.

NAYS -- Eskridge. Total -- 1.

Absent and excused -- Wills. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 238** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 97, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sali to open debate.

The question being, "Shall **H 97**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydallch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Wills, Wood. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 97**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 127, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sali to open debate.

The question being, "Shall **H 127**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Jones, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydallch, Sali, Sayler, Schaefer, Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wood, Mr. Speaker. Total -- 67.

NAYS -- None.

Absent and excused -- Mitchell, Shepherd(2), Wills. Total -- 3.

Total -- 70.

Whereupon the Speaker declared **H 127**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

Ms. LeFavour asked unanimous consent that she be allowed to change her vote on **H 261** from "NAY" to "AYE". Mr. Roberts objected.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 8, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND
ADMINISTRATION report that we have printed **H 306**.

FIELD(18), Chairman

H 306 was referred to the Revenue and Taxation Committee.

There being no objection, the House advanced to the
Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 10:30 a.m.,
Wednesday, March 9, 2005. Seconded by Mr. Sayler. Motion
carried.

Whereupon the Speaker declared the House adjourned at
12:05 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk